

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 14, 2011
POSITION: Oppose
SPONSOR: Equality California, ACLU, Gay-Straight Alliance
Network, National Center for Lesbian Rights,
The Trevor Project

BILL NUMBER: AB 9
AUTHOR: T. Ammiano

BILL SUMMARY: Pupil Rights: Bullying

This bill would require local education agencies (LEAs) to expand existing discrimination and harassment prevention policies to include intimidation and bullying, and also require LEAs to conform their complaint process to reflect these new policy requirements. Additionally, this bill would require the State Department of Education (SDE) to monitor LEAs' adherence to this new requirement as part of the existing Categorical Program Monitoring process and to update its web site, as specified.

FISCAL SUMMARY

This bill would expand the existing Comprehensive School Safety Plans I and II state reimbursable mandate, resulting in additional Proposition 98 General Fund costs estimated in the low hundreds of thousands of dollars each year. This would be on top of the annual cost claims for the existing mandate, which totaled approximately \$3.3 million for 2009-10.

Further, the bill encourages school districts to provide professional development training to implement the policies. This would create additional Proposition 98 General Fund cost pressures.

COMMENTS

The Department of Finance is opposed to this bill because it would result in additional Proposition 98 General Fund costs at a time when state resources are severely limited.

The Comprehensive School Safety Plans I and II mandate reimburses LEAs for specified activities related to writing, developing, adopting, and updating a comprehensive school safety plan. This plan must include, among other elements, a discrimination and harassment policy. The SDE is currently required to monitor LEAs' adherence to school safety plan requirements as part of its Categorical Program Monitoring process, which ensures that LEAs meet fiscal and program requirements of federal categorical programs and mandated areas of state responsibility and funding.

The following is a list of related bills in the current session:

- AB 227 (Hall) would add cyber bullying prevention and other related topics to the components that are required to be included in existing guidelines and criteria for developing school district educational technology plans. (In Senate Appropriations Committee.)
- AB 630 (Hueso) would encourage schools to reduce bullying through training with appropriate activities and best practice methodologies. (Held in Assembly Education Committee.)
- AB 746 (Campos) would amend the existing definition of bullying by means of an electronic act to expressly include the posting of messages on a social network Internet Web site. (Enrolled.)
- AB 1156 (Eng) would expand the definition of bullying to include various specified acts; allow a child who is a victim of an act of bullying to meet residence requirements in another district; and make other, related requirements and changes. (In Senate Committee on Education.)

Analyst/Principal (0352) L. Del Castillo	Date	Program Budget Manager Nick Schweizer	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

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- SB 453 (Correa) would define bullying to include acts motivated by specified actual or perceived characteristics of the victim and would encourage comprehensive school safety plans to address bullying, as specified. (Held under submission in Senate Appropriations Committee.)
- SB 755 (Lieu) would amend existing law pertaining to school safety plan requirements and require school districts and county offices of education to notify the Superintendent of Public Instruction identifying schools within the district or county that have not adopted comprehensive school safety plans. (Held under submission in Senate Appropriations Committee.)
- SB 919 (Lieu) would define sexting as the sending or receiving of sexually explicit pictures or video images by means of an electronic act; require the statewide school safety cadre appointed by the SPI and the AG to address sexting; and include sexting as a topic that may be included in conferences co-sponsored by the SPI and the AG. (In Assembly Education Committee.)

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
6110/Dept of Educ	LA	Yes	-----	See Fiscal Summary				-----	0001